

16 APR 2005

PTO-1390 (Rev. 07-2005)

Approved for use through 3/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER <b>50425/245</b> U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>2004/033176</b>
INTERNATIONAL APPLICATION NO. <b>PCT/US2004/033176</b>	INTERNATIONAL FILING DATE <b>October 8, 2004</b>	PRIORITY DATE CLAIMED <b>October 8, 2003</b>
TITLE OF INVENTION <b>METHODS AND COMPOSITIONS FOR DIAGNOSIS AND TREATMENT OF B CELL CHRONIC LYMPHOCYTIC LEUKEMIA</b>		
APPLICANT(S) FOR DO/EO/US <b>Bradley T. Messmer, Nicholas Chiorazzi and Emilia Albesiano</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))           <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> <p><b>Items 11 to 20 below concern document(s) or information included:</b></p> <ol style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A preliminary amendment.</li> <li>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> </ol>		

1AP20 Rec'd PCT/PTO 10 APR 2006

PTO-1390 (Rev. 07-2005)

Approved for use through 3/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <div style="font-size: 1.5em; font-weight: bold;">10/575678</div>	INTERNATIONAL APPLICATION NO. PCT/US2004/033176	ATTORNEY'S DOCKET NUMBER 50425/245														
20. Other items or information: cover letter and return receipt postcard (enclosed)																
The following fees have been submitted		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 60%;">CALCULATIONS</th> <th style="width: 40%;">PTO USE ONLY</th> </tr> </table>	CALCULATIONS	PTO USE ONLY												
CALCULATIONS	PTO USE ONLY															
21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... \$300		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">\$ 300</td> <td style="width: 40%;"></td> </tr> </table>	\$ 300													
\$ 300																
22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c))  If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0 All other situations.....\$200		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">\$ 200</td> <td style="width: 40%;"></td> </tr> </table>	\$ 200													
\$ 200																
23. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority.....\$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... \$400 All other situations.....\$500		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">\$ 100</td> <td style="width: 40%;"></td> </tr> </table>	\$ 100													
\$ 100																
<b>TOTAL OF 21, 22 and 23 =</b>		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">600</td> <td style="width: 40%;"></td> </tr> </table>	600													
600																
<input checked="" type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;"></td> <td style="width: 40%;"></td> </tr> </table>														
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 20%;">Total Sheets</th> <th style="width: 20%;">Extra Sheets</th> <th style="width: 30%;">Number of each additional 50 or fraction thereof (round up to a whole number)</th> <th style="width: 30%;">RATE</th> </tr> <tr> <td>58 - 100 =</td> <td>0 /50 =</td> <td>0</td> <td>x \$250</td> </tr> </table>	Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE	58 - 100 =	0 /50 =	0	x \$250	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">\$ 0</td> <td style="width: 40%;"></td> </tr> </table>		\$ 0					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE													
58 - 100 =	0 /50 =	0	x \$250													
\$ 0																
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">\$</td> <td style="width: 40%;"></td> </tr> </table>	\$													
\$																
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 20%;">CLAIMS</th> <th style="width: 20%;">NUMBER FILED</th> <th style="width: 30%;">NUMBER EXTRA</th> <th style="width: 30%;">RATE</th> </tr> <tr> <td>Total claims</td> <td>20 - 20 =</td> <td>0</td> <td>x \$ 50</td> </tr> <tr> <td>Independent claims</td> <td>3 - 3 =</td> <td>0</td> <td>x \$200</td> </tr> </table>	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total claims	20 - 20 =	0	x \$ 50	Independent claims	3 - 3 =	0	x \$200	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">\$</td> <td style="width: 40%;"></td> </tr> </table>		\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE													
Total claims	20 - 20 =	0	x \$ 50													
Independent claims	3 - 3 =	0	x \$200													
\$																
MULTIPLE DEPENDENT CLAIM(S) (if applicable)		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">+ \$360</td> <td style="width: 40%;"></td> </tr> </table>	+ \$360													
+ \$360																
<b>TOTAL OF ABOVE CALCULATIONS =</b>		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">\$ 600</td> <td style="width: 40%;"></td> </tr> </table>	\$ 600													
\$ 600																
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;"></td> <td style="width: 40%;"></td> </tr> </table>														
<b>SUBTOTAL =</b>		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">\$ 300</td> <td style="width: 40%;"></td> </tr> </table>	\$ 300													
\$ 300																
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">\$</td> <td style="width: 40%;"></td> </tr> </table>	\$													
\$																
<b>TOTAL NATIONAL FEE =</b>		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">\$ 300</td> <td style="width: 40%;"></td> </tr> </table>	\$ 300													
\$ 300																
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">\$</td> <td style="width: 40%;"></td> </tr> </table>	\$													
\$																
<b>TOTAL FEES ENCLOSED =</b>		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">\$ 300</td> <td style="width: 40%;"></td> </tr> </table>	\$ 300													
\$ 300																
		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Amount to be refunded:</td> <td style="width: 40%;">\$</td> </tr> </table>	Amount to be refunded:	\$												
Amount to be refunded:	\$															
		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Amount to be charged</td> <td style="width: 40%;">\$</td> </tr> </table>	Amount to be charged	\$												
Amount to be charged	\$															

10/575671

AR&E Docket No. 50425/245

PTO-1390 (Rev. 07-2005)

Approved for use through 3/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE

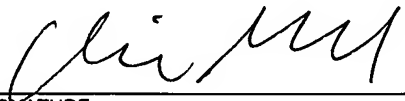
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

- a. ☒ A check in the amount of \$ 300.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 01-1785. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Craig J. Arnold, Esq.  
Amster, Rothstein & Ebenstein LLP  
90 Park Avenue  
New York, NY 10016

  
SIGNATURE

Elie H. Gendloff

NAME

44,704

REGISTRATION NUMBER

"Express Mail" mailing label No. EV 725786940 US

Date of Deposit: April 10, 2006

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Name: Elie H. Gendloff

Signature: 

**AMSTER  
ROTHSTEIN  
& EBENSTEIN LLP**

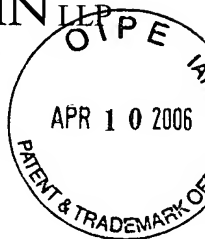
Intellectual Property Law

90 Park Avenue  
New York NY 10016

Main 212 336 8000

Fax 212 336 8001

Web www.arelaw.com



*Partners*  
Morton Amster  
Jesse Rothstein (1934 - 2003)  
Daniel Ebenstein  
Philip H. Gottfried  
Michael J. Berger  
Neil M. Zipkin  
Anthony F. Lo Cicero  
Kenneth P. George  
Abraham Kasdan, Ph.D.  
E. E. Silfin  
Chester Rothstein  
Craig J. Arnold  
Kenneth M. Bernstein  
Joseph M. Casino

*Senior Counsel*  
Charles M. Lacey  
Michael V. Solomita

*Associates*  
Patrick Boland\*  
John S. Economou  
Holly Pekowsky  
Michael P. Kenney  
Marion P. Metelski  
Max Vern  
Karl J. Kolbinger  
Brian A. Comack

Richard S. Mandaro  
Margot Jason  
Elie H. Gendloff, Ph.D.  
David Mitnick  
Charles W. Rath  
David A. Boag  
Matthieu Hausig  
Jung S. Hahn  
Reiko Kaji  
Alan D. Miller, Ph.D.  
Hsin-Hsin (Ginger) Liu  
John A. Lepore  
Norajean McCaffrey

Benjamin M. Halpern\*  
Matthew A. Fox  
Michael J. Kasdan  
Rebecca R. Eisenberg

\*Not admitted in New York

April 10, 2006

Elie H. Gendloff, Ph.D., Esq.

Direct 212 336 8108

E-mail egendlof@arelaw.com

Via Express Mail

(EV 725786940 US)

Mail Stop PCT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

"Express Mail" mailing label No.	EV 725786940 US
Date of Deposit:	April 10, 2006
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
Name:	Elie H. Gendloff
Signature:	

Re: United States National Phase Filing of  
PCT Application PCT/US2004/033176  
Title: METHODS AND COMPOSITIONS FOR DIAGNOSIS  
AND TREATMENT OF B CELL CHRONIC  
LYMPHOCYTIC LEUKEMIA  
Applicants: Bradley T. Messmer, Nicholas Chiorazzi and  
Emilia Albesiano  
Our File: 50425/245

Sir/Madam:

Pursuant to 35 U.S.C. § 371 and 37 C.F.R. § 1.495, enclosed please find an application for patent in the names of Bradley T. Messmer, Nicholas Chiorazzi and Emilia Albesiano, entitled "METHODS AND COMPOSITIONS FOR DIAGNOSIS AND TREATMENT OF B CELL CHRONIC LYMPHOCYTIC LEUKEMIA," for entering the national phase in the United States of America, comprising the following:

1. a "Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Submission Under 35 U.S.C. § 371," Form PTO-1390 (3 pages with 3<sup>rd</sup> page in duplicate);
2. a copy of PCT Application No. PCT/US2004/033176 as published under PCT Publication No. WO 2005/034733 A2, including cover page with Abstract (1 page), specification (29 pages), claims (12 pages) and drawings (16 sheets);

10/575671

APR 20 2006 10 APR 2006

Commissioner for Patents  
Alexandria, VA 22313-1450  
Mail Stop PCT

-2-

April 10, 2006


3. a Preliminary Amendment (8 pages);
4. an AR&E check in the amount of \$300 to cover the total filing fees, claiming small entity status; and
5. a return receipt postcard.

Please acknowledge receipt of the enclosed documents by stamping the enclosed postcard and returning the same to us.

Respectfully submitted,

Amster, Rothstein & Ebenstein LLP  
Attorneys for Applicants  
90 Park Avenue  
New York, NY 10016  
212 336 8000

Dated: New York, New York  
April 10, 2006

By:   
Elie Gendloff  
Registration No. 44,704